IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 981 OF 2006.
IN
FIRST APPEAL ST.NO. 18167 OF 2005.

The State of Maharashtra (through
Special Land Acquisition Officer,
Metro Centre No.3, Panvel) ... Applicant.
Versus.
Prabhakar Shankar Khutale. ... Respondent.

Shri K.K.Tated for the Applicant.

CORAM : ABHAY S.OKA, J.

DATED : 27th April, 2006.

P.C.:

1. Heard the learned A.G.P. for the Applicant amd Shri S.S.Punde for the Respondent.

2. There will be interim relief in terms of prayer clause (b) subject to condition that the Applicant will deposit with the Reference Court the entire amount due and payable under the impugned Award within a period of 12 weeks from today. If the amount is not deposited within the stipulated time, the interim stay granted will stand vacated without reference to the Court.

3. If the amount is deposited, the original Claimant will be entitled to withdraw the same on furnishing security to the satisfaction of the Reference Court.

4. If the amount deposited by the Applicant is not

withdrawn by the original Claimant within six months from the date of deposit of the amount, the Reference Court will invest the said amount in a fixed deposit with any nationalised bank initially for a period of five years and thereafter the fixed deposit will be renewed from year to year.

Judge.